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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT TACOMA

5 PHILLIP BURTON HAUSKEN,

6 Plaintiff,

7 v.

8 C/O SMOLECH, et al.,

9 Defendants.

CASE NO. C14-5037 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

10 This matter comes before the Court on the Report and Recommendation (“R&R”)
11 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 11. The Court
12 having considered the R&R and the remaining record, and no objections having been
13 filed, does hereby find and order as follows:

14 (1) The R&R is **ADOPTED**; and

15 (2) The Court **DISMISSES** this action as malicious and orders that this

16 dismissal count as a strike pursuant to 28 U.S.C. 1915(g). In forma pauperis status is
17 revoked for the purpose of appeal.

18 Dated this 7th day April, 2014.

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BENJAMIN H. SETTLE
United States District Judge